

**REGULAR SESSION   RUSH COUNTY BOARD OF COMMISSIONERS   JANUARY 3, 2012**

The Rush County Board of Commissioners met in regular session, Tuesday, January 3, 2012 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Ken Masters made the motion to retain Tom Barnes as Chairman of the Commissioners. Marvin Cole seconded the motion. Motion carried.

Commissioner Tom Barnes called the meeting to order, Marvin Cole made the motion to approve the minutes of the December 19, 2011 meeting as presented. Ken Masters seconded the motion. Motion carried.

Ken Masters made the motion to approve the minutes of the special Commissioners meeting held Tuesday, December 27, 2011 as presented. Marvin Cole seconded the motion. Motion carried.

Ken Masters made the motion to approve the minutes of the Executive Session held Tuesday, December 27, 2011 as presented. Marvin Cole seconded the motion. Motion carried.

**HEALTH**

Terri Nigh, Health Department Secretary, informed the commissioners that Dr. Davis Ellis did retire effective December 31, 2011. Dr. Dorothy Boersma is the appointment to replace Dr. Ellis. Ken Masters made the motion to sign the appointment certificate of Dr. Boersma.

Nigh informed the commissioners that Dr. Russell Daughtery is the chosen Health Board replacement to complete Dr. Dorothy Boersma's one (1) year term on the Health Board that is now vacant. Ken Masters made the motion to appoint Dr. Russell Daughtery to the Health Board. Marvin Cole seconded the motion. Motion carried.

**SOLID WASTE**

Carole Yeend, Solid Waste Director, reported that the City and the County have joined efforts to work together. Yeend stated that a tox away day is scheduled for Saturday, January 7, 2012. 8:00 a.m. until Noon. Old Appliances including freezers and refrigerators will be accepted at no charge.

**AREA PLAN**

Bill Todd, Area Plan Director, appeared before the commissioners with a letter of support endorsing the rehiring of David Rogier as the Plan Consultant to the Area Plan Commission and

the Board of Zoning Appeals. The letter of support was signed by the Area Plan Commission and Board of Zoning Appeals.

Ken Masters made the motion to sign the agreement with Rogier and Associates. Marvin Cole seconded the motion. Motion carried. The commissioners thanked Bill Todd for reviewing the agreement with the board.

Todd reported that Area Plan held a Public Hearing on December 27, 2011 regarding changes to the zoning ordinances. The Area Plan sent it to the Legislative Bodies with a favorable recommendation. Ken Masters made the motion to hold a public hearing January 30, 2012 at 9:30 a.m. regarding the location of Mobile Homes in different Ag. Zones. Marvin Cole seconded the motion. Motion carried.

### **E.C.D.C.**

Jim Finan, E.C.D.C. Director, introduced Terry Jobe the 2012 E.C.D.C. President. Finan provided updates:

- Lisa Lee of Ice Miller, Bond issue on North Industrial Park
- Historical Preservation – waiting on documents
- Cherry Street – Butler, Fairman presenting three or four different alternatives. The commissioners requested Finan to ask Butler, Fairman to address the drainage board. This will allow the surveyor to also look at the maps and address the water ways.
- Seed Companies – projects landing sites

### **SHERIFF**

Jeff Sherwood, Sheriff, reported thirty-four (34) inmates incarcerated in the Rush County jail.

Sherwood reported that Alan Rice graduated from the Academy December 22, 2011. Daniel Meyer began the Academy January 3, 2012.

Custer Electric will begin the transfer and installation of the generators at the end of the week.

### **HIGHWAY**

Jerry Sitton, Highway Superintendent, submitted the December monthly report for the commissioners to review.

Sitton reported that the Rush County School Corporation is selling the lot that the Arlington school sits upon. Sitton indicated that the school actually sits on four (4) lots. They will approach the commissioners to close two (2) alleys that the school sits on. The school will be sold as one (1) lot.

## **I-T**

Randy Herbert, I-T Technician, is to disconnect old panic buttons from the phone system.

## **FIBER BOARD**

Tom Barnes reported that the Fiber Board will have a combined City and County meeting on either January 18 or 19, 2012. Barnes noted that this would allow the new Mayor two weeks to make appointments.

## **AUDITOR**

Deborah Adams, Auditor, received approval for payroll claims for the pay period ending January 6, 2012 on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Bi-Weekly claims submitted by December 27, 2011 were approved on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Adams informed the commissioners that beginning April 1, 2012 PERF (Public Employee Retirement Fund) would be reported and submitted each pay period instead of each quarter. Adams stated that this was not a local change but a state change. Adams asked the commissioners to sign the form authorizing payroll deputy Heather Carlton to submit PERF through their website. Ken Masters made the motion to sign the state form. Marvin Cole seconded the motion. Motion carried.

Adams received approval to sign the IRS Blanket Consent Agreement for real estate property tax sales on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried. Adams noted that the agreement is for two (2) years. Leigh Morning clarified when Adams questioned that during the second year there would be a change in Auditor's that the agreement covers the office.

Adams provided each commissioner with a 2011 year end fund report for their review.

Marvin Cole made the motion to approve the Surety Bond on County Prosecutor Philip Caviness

## **WORKFORCE INVESTMENT BOARD**

Marvin Cole made the motion to appoint Ken Masters to the Workforce Investment Board. Tom Barnes seconded the motion. Motion carried.

## **RUSH MEMORIAL AMBULANCE**

Conversation was held regarding the Rush Memorial Ambulance contract. Leigh Morning stated that there was clarification needed regarding the contract with the council.

## **EMS**

It was reported that Dr. Daugherty has reviewed the final draft of the prepared Fire Department's protocols and is waiting on Dr. Boersma to review.

Raleigh Fire Department was reviewed by the Commissioners

## **CAPITAL IMPROVEMENT PLAN**

The Capital Improvement Plan for 2012 was reviewed. Conversation was held regarding the allotted ambulance portion. Morning stated that the plan could be amended. Ken Masters made the motion to approve Ordinance 2012-1. Marvin Cole seconded the motion. Motion carried.

### **ORDINANCE 2012-1**

#### **AN ORDINANCE ADOPTING A CAPITAL IMPROVEMENT PLAN FOR RUSH COUNTY**

##### **I. Purpose of Plan**

The purpose of this Rush County, Indiana, Capital Improvement Plan ("Plan") is to specify the uses of the revenues to be received by Rush County, Indiana ("County") from the economic development income tax ("EDIT") imposed under Ind.Code 6-3.5-7, as amended from time to time (the "Act"). This Plan shall be dated as of January 1, 2012, and encompass a period beginning January 1, 2012, and ending December 31, 2012.

##### **II. Economic Development Projects**

**A. Economic Development Projects.** The County may expend EDIT revenues for the following purposes:

1. To support the operating budget of the Rush County Economic Development Corp.
2. To support the operations of the Rush Memorial Hospital and Rush County Ambulance Service.
3. To support other economic development projects in Rush County, Indiana.

**III. Estimated Costs, Sources of Funds, and Planning, Development and Construction Schedules**

**A. ECONOMIC DEVELOPMENT PROJECTS.** The County may use revenue to pay all or a portion of the Economic Development Projects.

The estimated cost and timing of the Economic Development Projects are as follows:

1.	Rush County Economic Development Corp.	<b>2012</b> \$ 65,000.00
2.	Ambulance Service	<b>2012</b> \$235,000.00
3.	Other County Projects	<b>2012</b> \$ 25,000.00
	<u>TOTAL</u>	<b>2012</b> \$325,000.00

**IV. Expenditure of Certified Distribution**

In 2012, the County will receive a certified distribution of EDIT revenues in the estimated amount of \$598,430.98.

The County anticipates expending a portion of the certified EDIT distributions it receives to pay the costs of the Economic Development Projects in the amount of \$325,000.00 in 2012.

Consequently, the Plan incorporates projects the costs of which exceed fifty-four percent (54%) of the estimated amount of the certified distribution of EDIT revenues that the County anticipates receiving during the period encompassed by this Plan.

Adopted this 3<sup>rd</sup> day of January, 2012.

BOARD OF COMMISSIONERS  
OF RUSH COUNTY

/s/ Thomas H. Barnes  
Thomas H. Barnes

/s/ Marvin L. Cole  
Marvin L. Cole

/s/ Ken Masters  
Ken Masters

ATTEST: /s/ Deborah C. Adams  
Deborah C. Adams,  
Rush County Auditor

## **FARM CONTRACT**

Ken Masters made the motion to sign the two (2) year Cash Farm Rental Contract between Rush County and Douglas G. Kinder. Marvin Cole seconded the motion. Motion carried. The one hundred seventy (170) tillable acres more or less is located: Part of Section 33 Township 14 Range 10

## **PROSECUTOR**

Leigh Morning submitted the Independent Contractor Contract for James L. Meyers who presently serves as Investigator to the Rush County Prosecutor's Office on a part-time basis. Morning stated that Meyers contract is based upon the 2011 salary since the state has yet to approve the county's submitted budget. The contract will be amended if there are not any changes by the state. Ken Masters made the motion to approve the contract. Marvin Cole seconded the motion. Motion carried.

Tom Barnes questioned if Jim Meyers should pay his own surety bond since he is an independent contractor. Morning responded that yes he should.

Deborah Adams informed the commissioners that Meyers bond was approved and signed during the December 19, 2011 meeting. Ken Masters rescinded his motion made to approve and sign the surety bond presented during the December 19, 2011 commissioner meeting. Marvin Cole seconded the motion. Motion carried. Adams will notify the Prosecutor's office of the change.

## **COURTHOUSE JANITORIAL/MAINTENANCE CONTRACT**

Marvin Cole made the motion to approve the Courthouse Janitorial Maintenance Contract with Gilliam Janitorial Services. Ken Masters seconded the motion. Motion carried.

## **MILROY PROPERTY**

Discussion was held regarding the sale of the property to be offered for sale by the Commissioners. The property is located at 404 W Main Street, Milroy. Open bids may be made up to 9:30 am on Monday February 13, 2012. Masters made the motion to set the bid date and time for Monday, February 13, 2012 at 9:30 a.m. Marvin Cole seconded the motion. Motion carried. Adams will place a legal notice in the newspaper and also advertise the open bid on the county website.

## **ADA COMPLIANCE**

The ADA committee was formed. Members are Commissioner Ken Masters, Highway Superintendent Jerry Sitton, and Area Plan Director Bill Todd. Leigh Morning reminded them that they needed to name one as the Compliance Officer. Ken Masters will ask a council member to sit on the committee. Jerry Sitton expressed that Bill Todd should be the Compliance Officer since he has the codes.

**MISC.**

- Ken Masters made the motion to send an employee memo regarding no posting of paper notices/bulletins to the courthouse walls, windows or wood trim. Items can only be posted on bulletin boards located throughout the courthouse. Marvin Cole seconded the motion. Motion carried. Deborah Adams asked the commissioners to install a bulletin board as was discussed several years ago.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

<u>/s/Tom Barnes</u>	<u>/s/Marvin Cole</u>	<u>/s/Ken Masters</u>
Tom Barnes, Chairman	Marvin Cole	Ken Masters

ATTEST:

/s/Deborah C. Adams  
Deborah C. Adams, Auditor